

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

Applicant: Michael G. Martinek et al. Examiner: S. Ashburn
Serial No. 09/ 520,405 Group Art Unit: 3713
Filed: March 8, 2000 Docket No. PA0390.ap.US
Title: COMPUTERIZED GAMING SYSTEM METHOD AND APPARATUS

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7-9-01

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8/27/01

AMENDMENT AND COMMUNICATION RE: RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Attn: **AMENDMENT**
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This Amendment is being filed in response to the Office Action mailed on May 22, 2001.

REMARKS CONCERNING THE OFFICE ACTION

In the Office Action mailed on May 22, 2001, the U.S. PTO required Restriction and Election of Ultimate Species to be exercised between claims 1-47, all of the claims in the Application. Although the claims were not associated into specific groups (as is conventional in restriction practice), five separate categories of species were identified as follows:

Species I is directed to "a data processor operating system;"

Species II is directed towards "a system for security, validation, and verification of a game data;"

Species III is directed to "a system for resumption of a game after loss of power;"

Species IV is directed to a networked gaming system;" and

Species V is directed to "a gaming system with a progressive jackpot.

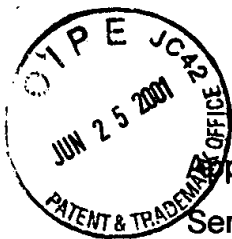
In this response, Applicants will identify the claims falling within each identified species, elect a species for examination, identify the claims directed towards that species, and provide an independent generic claim covering that species and identify an existing independent generic claim covering all species.

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ELECTION OF INVENTION AND ULTIMATE SPECIES

Solely for the purpose of responding to the Office Action mailed on May 22, 2001 that requires Applicants to elect an ultimate species, **Applicants hereby elect, with traverse, the**



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BOX: Amendment
Assistant Commissioner for Patents
Washington, D.C. 20231

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The following documents are hereby submitted:

- ☒ Amendment and Communication Re: Response to Election/Restriction Requirement (5 pages)
- ☒ Transmittal Sheet
- ☒ Return postcard

The fee has been calculated as follows:

| CLAIMS AS AMENDED | | | | | | |
|---|--|---|--|-------------------------|-----------|---------|
| | (1) Claims Remaining After Amendment | | (2) Highest Number Previously Paid For | (3) Present Extra | Rate | Fee |
| TOTAL CLAIMS | 51 | - | 47 | 4 | x 9.00 = | \$36.00 |
| INDEPENDENT CLAIMS | 11 | - | 11 | 0 | X 40.00 = | \$0.00 |
| [] MULTIPLE DEPENDENT CLAIMS PRESENTED | | | | | | \$0.00 |
| TOTAL | | | | | | \$36.00 |

There is a fee due to the fact there are additional claims. They are hereby authorized to be withdrawn from Deposit Account Number 50-1391.

MARK A. LITMAN & ASSOCIATES, P.A.
York Business Center, Suite 205, 3209 W. 76th St.
Edina, MN 55402 (952-832-9090)

By:
Atty: Mark A. Litman
Reg. No. 26,390

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on June 22, 2001

Mark A. Litman
Name

Signature